

### **DETAILED ACTION**

1. The examiner acknowledges the receipt of the amendment filed December 14, 2009. Claims 7, 11-14 have been cancelled. Claims 1-6, 8-10, 15 are pending.
2. In view of applicants' argument filed December 14, 2009, the rejection of claims 1-6, 8-10, 15 under 35 U.S.C. 112, first paragraph, is withdrawn. Further, the rejection of claims 1-6, 8-10, 15 under 35 U.S.C. 103(a) as being unpatentable over Saito (US 6,387,292) in view of Hara et al. (US 2003/0114547 A1), is withdrawn. In view of applicants' argument, Saito fails to teach the non-ionic surfactant being claimed because the use of non-ionic surfactant in the comparative example of Saito (col. 5, line 65 to col. 6, line 7) is taught as a surfactant that can destroy the invention of Saito.

### ***Allowances***

3. Claims 1-6, 8-10, 15 are allowed.
4. The following is an examiner's statement of reasons for allowance:

As of the date of this office action, the examiner has not located or identified any reference that can be used singularly or in combination with another reference including the closest prior art of Saito (US 6,387,292) and Hara et al. (US 2003/0114547 A1) to render the present invention anticipated or obvious to one of ordinary skill in the art.

In light of the above discussion, it is evident as to why the present claims are patentable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, and to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William K. Cheung whose telephone number is (571) 272-1097. The examiner can normally be reached on Monday-Friday 9:00AM to 2:00PM; 4:00PM to 8:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David WU can be reached on (571) 272-1114. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/541,330  
Art Unit: 1796

Page 4

/William K Cheung/  
Primary Examiner, Art Unit 1796

William K. Cheung, Ph. D.  
Primary Examiner  
January 14, 2010